

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAMEE DEIRDRE HUNDLEY, aka JAMES
DERRICK HUNDLEY,

Plaintiff

V.

STATE OF NEVADA ex rel. BOARD OF
PRISON COMMISSIONERS, et al.,

Defendants

Case No.: 3:19-cv-00458-ART-CSD

Order

Re: ECF No. 59

10 Plaintiff, who is an inmate incarcerated within the Nevada Department of Corrections
11 (NDOC), and is represented by counsel, has filed a motion for leave to file a third amended
12 complaint and proposed third amended complaint. (ECF Nos. 59, 59-1.)

13 Despite being given an extension of time until May 31, 2024, to file a response (*see* ECF
14 No. 61), Defendants have not opposed the motion. Under Local Rule 7-2(d), the failure of an
15 opposing party to file a response to a motion constitutes consent to granting the motion.
16 Therefore, Plaintiff's motion for leave to file a third amended complaint will be granted.

CONCLUSION

Plaintiff's motion for leave to file a third amended complaint (ECF No. 59) is

GRANTED.

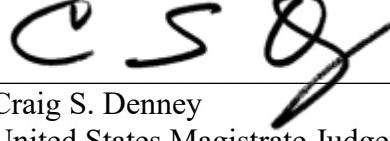
The Clerk shall FILE the third amended complaint (ECF No. 59-1).

21 On or before **July 10, 2024**, the Attorney General's Office shall file a notice indicating
22 whether it will accept service on behalf of the two defendants added to the third amended
23 complaint: the State of Nevada ex rel. NDOC and the State Board of Prison Commissioners.

1 On or before **July 24, 2024**, the Defendants who have been served shall file an answer or
2 otherwise respond to the third amended complaint.

3 **IT IS SO ORDERED.**

4 Dated: June 26, 2024


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6 Craig S. Denney
United States Magistrate Judge

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